

Application No. 10/776,018
Filed: 2/10/2004
TC Art Unit: 3673
Confirmation No.: 9076

REMARKS

The specification has been amended to respond to Examiner's request regarding the trademark term "Velcro."

Claims 4, 7, 16, 20-21 and 23-24 are currently amended. Claims 2-3, 5-6, 8-9, 12-13, 17, 19 and 22 remain as previously amended and claims 10-11, 14 and 25-26 remain as previously presented. New claims 27 and 28 have been added. Claims 1, 15 and 18 were previously cancelled. Claims 2-14, 16-17 and 19-27 are pending.

Applicant has amended claim 4 to recite "hook and loop" rather than the trademark term "Velcro." Applicant has amended claim 7 to remove the term "preferably." Applicant has amended claim 16 to recite a single limitation concerning upper limit of average density, where the deleted second limitation now appears in new claim 27. Applicant has amended claim 20 to recite only "or" rather than "and/or." Applicant has amended claim 21 to recite a single limitation concerning upper limit of average density, where the deleted second limitation now appears in new claim 28. Applicant has additionally amended claim 21 to broaden its scope by removing limitations concerning gluing the covering to the first body, detachable connection by Velcro connections, and reference to glass fiber.

Applicant has amended independent claim 24 by adding the following feature "wherein the cavity is provided in the first foam body or in the second foam body." This amendment is supported in the Specification at page 5, lines 24-28.

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Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 20, 23, and 25-26 for phrasing in the preamble regarding "vehicle, vessel or aircraft." Claims 23 and 24 have been amended to overcome the rejection.

The Examiner has rejected claims 4 and 21 for use of a trademark term in the claims. These claims are currently amended to overcome this ground for rejection.

The Examiner has rejected claims 7 and 21 for use of the term "preferably". These claims are currently amended to overcome this ground for rejection.

The Examiner has rejected claim 10 for appearing to conflict with claim 4. Applicant respectfully traverses this rejection, on the basis that claim 4 and claim 10 (through claim 9) represent separate dependent pathways from independent claim 24, and thus are permitted to claim different embodiments of the invention, wherein claim 4 claims one embodiment (first and second foam bodies detachably connected to each other) and claim 10 claims an alternative embodiment (first and second foam bodies detachably connected to each other only via the covering).

The Examiner has rejected claims 16 and 21 for lack of clarity regarding upper limits of density. Applicant has amended to overcome this rejection.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 2-14, 19-20, and 24-26 as being unpatentable over Ogawa in view of Hall and Porter. Applicant has further amended independent claim 24 by adding the following feature "wherein the cavity is provided in the first foam body or in the second foam body." The advantage is that a

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compact cushion can be provided. Hall teaches away from this feature, since Hall teaches to apply six distinct foam components in three different foam layers, wherein interposed between a top (16) and bottom (17) layer a center pad layer (23) is provided with exactly three cut-out openings, which cut-out openings incorporate exactly three components of filler foam material (19', 20' and 21') (See Fig. 3 of Hall, and Column 2, lines 56-68). The Examiner has stated that Ogawa fails to disclose a foam material received in a cavity between the first and second foam body (Office Action, page 3, last paragraph). Porter addresses certain fire barrier fabrics, and makes no suggestion about construction of seat cushions. Therefore, neither Ogawa, Porter nor Hall teach or suggest the limitation that exists in Applicant's claim 24 as amended, wherein foam material is received in a cavity between said first and second foam bodies, wherein the cavity is provided in the first foam body or in the second foam body. Nor is this limitation taught or suggested by combining these three references. Therefore, this ground for objection is properly overcome.

SUMMARY

Applicant respectfully requests entry of the foregoing amendments to the specification and the claims. Claims 4, 7, 16, 20-21 and 23-24 are currently amended. Claims 1, 15 and 18 were previously cancelled. Claims 2-3, 5-6, 8-9, 12-13, 17, 19 and 22 remain as previously amended. Claims 10-11, 14 and 25-26 remain as previously presented. New claims 27-28 have been added. Claims 2-14, 16-17 and 19-27 are pending.

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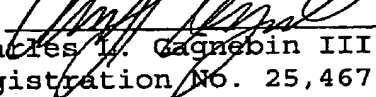
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These Amendments put the claims into proper form for further examination and/or allowance. Kindly calculate any additional fees required based on the amended claims.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter which would expedite allowance of the present application.

Respectfully submitted,

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